



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,287	02/28/2002	David Wigley	PIZY-002	2035

7590 12/19/2006
DAVID B. RITCHIE
THELEN REID & PRIEST LLP
P.O. BOX 640640
SAN JOSE, CA 95164-0640

EXAMINER

POPHAM, JEFFREY D

ART UNIT	PAPER NUMBER
----------	--------------

2137

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/086,287

Applicant(s)

WIGLEY ET AL.

Examiner

Jeffrey D. Popham

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Remarks

Claims 1-29 are pending.

Response to Arguments

1. Applicant's arguments filed 10/2/2006 have been fully considered but they are not persuasive.

Applicant argues that Shannon does not teach the "step of further analyzing the content of the information". Shown in Column 9, line 62 to Column 10, line 23 is a network walker which retrieves digital information stored at new locations in a remote network node and further analyzes the content of the information in order to determine which categories and restrictions should be given to the data. As described in the following description (Column 10, line 24 to Column 11, line 40), the network walker retrieves data and information from and about new locations and determines (either automatically or with assistance of a person or both) which categories the data should be associated with. It is quite clear from this section that the system further analyzes the content of the information.

Applicant also argues that Pistoia does not teach any client network side analysis of web content, nor that the database be updated by "periodically forwarding the location indicators found to have restricted content from the remote network node to the subscriber networks for inclusion in the database of restricted network indicators." In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on

Art Unit: 2137

combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

2. Claims 1-6, 8, 9, 11-16, 18, 19, 21-25, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shannon (U.S. Patent 6,233,618) in view of Pistoia (Pistoia, Marco, "Web Caching and Filtering with IBM WebSphere Performance Pack", 3/1999, pp. 1-28, obtained from <http://www.redbooks.ibm.com/redpapers/pdfs/redp0009.pdf>).

Regarding Claim 1,

Shannon discloses a method for restricting access to network accessible digital information by network users of at least one subscriber network, the method comprising the steps of:

Monitoring at each subscriber network all requests by the network users for digital information (Column 12, lines 37-52);

Determining whether a location indicator associated with each request is included in a database of restricted location indicators maintained at each subscriber network and denying the request where the location indicator is in the database (Column 14, lines 16-41);

Retrieving the digital information stored at the location indicator and initially analyzing the content of the information for a predetermined maximum time in the event that the location indicator is not in the

database and denying or fulfilling the request based on the initial analysis (Column 14, line 49 to Column 15, line 4);

Retrieving the digital information stored at new locations at a remote network node and further analyzing the content of the information (Column 9, line 62 to Column 11, line 40); and

Periodically forwarding the location indicators found to have restricted content from the remote network node to the subscriber networks for inclusion in the database of restricted location indicators (Column 9, lines 25-43);

But does not disclose periodically forwarding the location indicators not in the database from the subscriber networks to a remote node.

Pistoia, however, discloses periodically forwarding the location indicators not in the database from the subscriber networks to a remote node, retrieving the digital information stored at the forwarded location indicators at the remote network node and further analyzing the content of the information, and periodically forwarding the location indicators found to have restricted content from the remote network node to the subscriber networks for inclusion in the database of restricted location indicators (Pages 16-18, PICS Filtering at the Proxy Server Level). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the caching/filtering proxy of Pistoia into the content filtering and access control system of Shannon in order to handle

Art Unit: 2137

the situation where the proxy receives a request for a new location that is not in it's database in a dynamic and efficient manner, in order to allow the third party to gain knowledge of the new location faster than it would be able to find this location using it's own methods of walking/crawling the web, or in order to allow for a hierarchical filtering model, wherein the client or a downstream proxy could filter more content than an upstream proxy, as desired by the user or admin, thus providing increased flexibility within the system.

Regarding Claim 11,

Claim 11 is a system claim that corresponds to method claim 1 and is rejected for the same reasons.

Regarding Claim 21,

Claim 21 is a computer software product claim that corresponds to method claim 1 and is rejected for the same reasons.

Regarding Claim 2,

Shannon as modified by Pistoia discloses the method of claim 1, in addition, Shannon discloses that the digital information includes content accessible via the Internet (Column 5, lines 34-44).

Regarding Claim 12,

Claim 12 is a system claim that corresponds to method claim 2 and is rejected for the same reasons.

Regarding Claim 22,

Claim 22 is a computer software product claim that corresponds to method claim 2 and is rejected for the same reasons.

Regarding Claim 3,

Shannon as modified by Pistoia discloses the method of claim 1, in addition, Shannon discloses that the subscriber networks are LANs wherein client computers communicate via the Ethernet access protocol (Column 5, lines 34-44).

Regarding Claim 13,

Claim 13 is a system claim that corresponds to method claim 3 and is rejected for the same reasons.

Regarding Claim 23,

Claim 23 is a computer software product claim that corresponds to method claim 3 and is rejected for the same reasons.

Regarding Claim 4,

Shannon as modified by Pistoia discloses the method of claim 3, in addition, Shannon discloses that searching of the database and the initial content analysis occur at an Ethernet bridge installed at the subscriber network (Column 5, line 34 to Column 6, line 3).

Regarding Claim 14,

Claim 14 is a system claim that corresponds to method claim 4 and is rejected for the same reasons.

Regarding Claim 5,

Shannon as modified by Pistoia discloses the method of claim 1, in addition, Shannon discloses that the location indicator is a URL (Column 8, lines 24-34).

Regarding Claim 15,

Claim 15 is a system claim that corresponds to method claim 5 and is rejected for the same reasons.

Regarding Claim 24,

Claim 24 is a computer software product claim that corresponds to method claim 5 and is rejected for the same reasons.

Regarding Claim 6,

Shannon as modified by Pistoia discloses the method of claim 4, in addition, Shannon discloses that the location indicator is extracted from an Ethernet frame originating from a client computer of a network user (Column 5, line 34 to Column 6, line 3).

Regarding Claim 16,

Claim 16 is a system claim that corresponds to method claim 6 and is rejected for the same reasons.

Regarding Claim 25,

Claim 25 is a computer software product claim that corresponds to method claim 6 and is rejected for the same reasons.

Regarding Claim 8,

Shannon as modified by Pistoia discloses the method of claim 1, in addition, Shannon discloses the step of determining whether the location indicator is in an exception list before determining whether it is in the database and fulfilling the request in the event that the location indicator is in the exception list (Column 14, line 52 to Column 15, line 15).

Regarding Claim 18,

Claim 18 is a system claim that corresponds to method claim 8 and is rejected for the same reasons.

Regarding Claim 27,

Claim 27 is a computer software product claim that corresponds to method claim 8 and is rejected for the same reasons.

Regarding Claim 9,

Shannon as modified by Pistoia discloses the method of claim 1, in addition, Shannon discloses that the request is fulfilled in the event that the location indicator is in the database but is a permitted category of restricted content (Column 14, lines 16-25).

Regarding Claim 19,

Claim 19 is a system claim that corresponds to method claim 9 and is rejected for the same reasons.

Regarding Claim 28,

Claim 28 is a computer software product claim that corresponds to method claim 9 and is rejected for the same reasons.

3. Claims 7, 17, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shannon in view of Pistoia, further in view of Maurer (Maurer et al., "Hash Table Methods", 1975, pp. 5-19, obtained from <http://portal.acm.org/citation.cfm?id=356645&coll=GUIDE&dl=GUIDE&CFID=52013892&CFTOKEN=24807428&ret=1#Fulltext>).

Regarding Claim 7,

Shannon as modified by Pistoia does not disclose that the database is stored in encrypted form and is searched for an encrypted location indicator.

Maurer, however, discloses that the database is stored in encrypted form and is searched for an encrypted location indicator (Pages 5-7, Introduction). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the hash table of Maurer into the content filtering and access control system of Shannon as modified by Pistoia in order to provide a faster method of storing and searching for a specified URL within an organized database of hashes.

Regarding Claim 17,

Claim 17 is a system claim that corresponds to method claim 7 and is rejected for the same reasons.

Regarding Claim 26,

Claim 26 is a computer software product claim that corresponds to method claim 7 and is rejected for the same reasons.

4. Claims 10, 20, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shannon in view of Pistoia, further in view of Willens (U.S. Patent 5,889,958).

Regarding Claim 10,

Shannon as modified by Pistoia does not disclose that forwarding and updates to the databases are performed on at least an hourly basis.

Willens, however, discloses that forwarding and updates to the databases are performed on at least an hourly basis (Column 4, lines 26-45; and Column 5, lines 38-46). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the remote access control system of Willens into the content filtering and access control system of Shannon as modified by Pistoia in order to allow the system to be run on a client that does not have a hard drive (dedicated Internet terminal).

Regarding Claim 20,

Claim 20 is a system claim that corresponds to method claim 10 and is rejected for the same reasons.

Regarding Claim 29,

Claim 29 is a computer software product that corresponds to method claim 10 and is rejected for the same reasons.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Popham whose telephone number is (571)-272-7215. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571)272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey D Popham
Examiner
Art Unit 2137


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER